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C O N F I D E N T I A L SECTION 01 OF 02 PARIS 000186

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TAGS: [PREL](#) [PGOV](#) [KJUS](#) [INTERPOL](#) [RW](#) [FR](#)
SUBJECT: RWANDA: EFFECT OF BRUGUIERE REPORT ON USG, STATUS
OF MRS. HABYARIMANA

REF: NICODEMUS/PALMER/D'ELIA/KAMINSKI/KANEDA E-MAILS

Classified By: Political Minister-Counselor Josiah Rosenblatt, 1.4 (b/d
).

¶1. (C/NOFORN) SUMMARY: XXXXXXXXXXXX1 told us January 12 that Judge Bruguiere's November 17 report recommending the prosecution of President Kagame and requesting the arrest of nine of his associates had been forwarded to Interpol. He noted that it was incumbent on the U.S. to make its own determination as to whether the U.S. was subject to any legal obligations as a result. Belgium and the UK have informed France that they will honor the arrest warrants if any of the nine arrive in their territories and will do so pursuant to an EU agreement covering such matters. The same official said that former-President Habyarimana's widow, who had recently lost a French court case on her request for political asylum, planned to appeal. The case was thus not yet closed, and Rwanda had not, contrary to media reports, "officially" requested her arrest in connection with the 1994 genocide. Separately, XXXXXXXXXXXX conceded that the GOF had given Bruguiere the green light to issue his report, in response to Rwanda's cont
END SUMMARY.

ARREST WARRANTS

¶2. (C) MFA Rwanda desk officer Laurent Chevallier said on January 12 that Judge Bruguiere's November 17 report on events in 1994 concerning the death of then-Rwandan President Habyarimana and recommending the prosecution of President Kagame and calling for the arrest of nine of his associates, had been forwarded to Interpol. (We contacted Chevallier in response to ref A e-mails asking whether Bruguiere's report created any legal obligations for the U.S. should the individuals named seek to enter the U.S.) Chevallier said that he was not in a position to make determinations on U.S. legal obligations. The matter had been forwarded to Interpol, he repeated, but he was not certain how Interpol had proceeded. Chevallier was confident, however, that Bruguiere's report had the same effect as the issuance of international arrest warrants. He said that Belgium and the UK had already told the French that they would arrest those named should they enter their territories, based on Bruguiere's warrants. However, they would act not because of obligations regarding Interpol but rather in accordance with an EU agreement covering arrest warrants issued by member states.

¶3. (C) Chevallier advised that the USG was the only entity that could determine whether the circumstances of this case and its relationship with Interpol placed any obligation on the U.S. concerning these individuals. "I'm sure you understand that as a French official, I really can't tell your government how this all affects you," he continued. He suggested that officials in Washington study the matter and, if necessary, work with Interpol to determine what, if any, obligations Washington might incur.

MRS. HABYARIMANA

¶4. (C) Chevallier commented briefly on the case of the widow of former Rwandan President Habyarimana. The press announced during the week of January 8 that a French court had refused her request to remain in France as a political exile, and also reported that Rwanda had insisted that she be arrested for her alleged role in the 1994 genocide. Chevallier referred to the January 11 MFA press briefing, during which the spokesperson noted developments in her case and denied that Rwanda had "officially" requested her arrest. Chevallier said that Mrs. Habyarimana's case was not closed, and that in fact she had already indicated an intention to appeal "before the end of January." Chevallier reiterated that, to his knowledge, Rwanda had not "officially" requested her arrest. He remarked dryly that it would be interesting if Rwanda did so, since it had "officially" severed diplomatic relations with France in response to the Bruguiere report.

(C/NOFORN) GOF GAVE GREEN LIGHT TO BRUGUIERE, ACCORDING TO
MFA DAS

¶5. (C/NOFORN) In a recent conversation largely on other matters, XXXXXXXXXXXX
confided that the GOF had given Bruguiere the green light to issue his report. (NOTE: The party and public line

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has been that Bruguiere, exercising his judicial independence, had done so without consulting other GOF elements.)XXXXXXXXXXXX
said that France had wanted to reciprocate for Rwanda's taking steps to investigate France's alleged involvement in the 1994 genocide and its aftermath.
XXXXXXXXXXXX
said that the GOF had miscalculated, not foreseeing the strong measures (i.e., severing diplomatic relations) Rwanda would take in retaliation. (NOTE: XXXXXXXXXXXX

